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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

In re:

**EDWARD JOE BULLOCK and
LAURA CHRISTENE BULLOCK,**

Debtors.

Bankruptcy Case No. 13-28168 JTM

(Chapter 7)
Judge Joel T. Marker

**MEMORANDUM IN SUPPORT OF MOTION FOR ORDER DENYING DISCHARGE
PURSUANT TO 11 U.S.C. §727(a)(8)**

The United States Trustee, by and through his attorney, Peter J. Kuhn, hereby files this Memorandum in Support of the Motion for Order Denying Discharge of Pursuant to 11 U.S.C. §727(a)(8) and Fed. R. Bankr. P. 4004(d), as follows:

STATEMENT OF FACTS

1. The Court has jurisdiction of this matter under 28 U.S.C. §§ 1334(a) and (b); 28 U.S.C. §§ 157(a) and (b)(1); and 28 U.S.C. §151. This is a core proceeding under 28 U.S.C. §§ 157(b)(A) and (B).

2. The Debtors filed a voluntary joint petition for relief under chapter 7 of Title 11 of the United States Code on July 18, 2013. Gary E. Jubber was appointed as Chapter 7 Trustee in this case and continues to serve in that capacity.
3. A Meeting of Creditors, pursuant to 11 U.S.C. §341, was conducted on August 22, 2013.
4. As applied to 11 U.S.C. §727(a)(8), this Motion is timely pursuant to Fed R. Bankr. P. 4004(a).
5. The Debtors, Edward Joe Bullock and Laura Christene Bullock, filed a prior Chapter 7 bankruptcy case on October 11, 2005, in the District of Utah, Case No. 05-37066. Edward Joe Bullock and Laura Christene Bullock received in that case a Discharge under 11 U.S.C. §727 of the Bankruptcy Code on January 24, 2006.
6. Using the Debtors', Edward Joe Bullock's and Laura Christene Bullock's, full social security numbers, XXX-XX-5552 and XXX-XX-1348, prior to the filing of the Motion herein the United States Trustee's office conducted a search of its databases and queried the Court's records to ensure that the Debtors, Edward Joe Bullock and Laura Christene Bullock, from case no. 05-37066 (District of Utah) and Debtors, Edward Joe Bullock and Laura Christene Bullock, from case no. 13-28168 JTM were in fact the same individuals.
7. The United States Trustee's Office thereby verified that the social security numbers used in case no. 13-28168 JTM by Debtors, Edward Joe Bullock and Laura Christene Bullock, were in fact the same social security numbers, also used by Edward Joe Bullock and Laura Christene Bullock, in case no. 05-37066.

8. The present case of Debtors, Edward Joe Bullock and Laura Christene Bullock, was filed on July 18, 2013 as a Chapter 7 case within eight (8) years after the filing of the prior Chapter 7 case in which the Debtors received a Chapter 7 Discharge of Debts.

ARGUMENT

Having received a discharge under 727(a) in a case commenced within 8 years before the date of the filing of the petition in this case, the Debtors, Edward Joe Bullock and Laura Christene Bullock, are not entitled to a discharge under 11 U.S.C. §727 in this case.

11 U.S.C. §727(a)(8) provides:

- a. The Court shall grant the Debtor a discharge, unless-
(8) The Debtor has been granted a discharge under this section..., in a case commenced within 8 years before the date of the filing of the petition.

There is no basis in law or in fact that would allow the Court to grant a discharge to the Debtors when the Debtors are beyond the bounds of the statute that authorizes the Court to grant a discharge.

CONCLUSION

For the reasons as set forth herein, the Court should enter an Order denying the discharge of debts pursuant to 11 U.S.C. §727(a)(8) for such other and further relief as the Court deems appropriate.

DATED: October 11, 2013

Respectfully Submitted,

/s/

Peter J. Kuhn
Attorney for Richard A. Wieland,
United States Trustee

CERTIFICATE OF MAILING

I HEREBY CERTIFY that, on October 11, 2013, I caused a true and correct copy of the foregoing **MEMORANDUM IN SUPPORT OF MOTION FOR ORDER DENYING DISCHARGE PURSUANT TO 11 U.S.C. §727(a)(8)** to be electronically filed with the Court using the CM/ECF system, which sent notification to all parties of interest participating in the CM/ECF system, as noted below:

Gary E. Jubber, Esq.

Further, I certify that copies of the **MEMORANDUM** were forwarded via U.S. Mail, first class, postage prepaid and properly addressed to the following:

Edward Joe Bullock
Laura Christene Bullock
5323 South 3325 West
Taylorsville, UT 84129

_____/s/
Peter J. Kuhn